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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,090	07/16/2003	Chikara Natsukari	3110-007	9272
33432	7590	04/05/2005		EXAMINER
KILYK & BOWERSOX, P.L.L.C. 53 A EAST LEE STREET WARRENTON, VA 20186				LEE, SEUNG H
			ART UNIT	PAPER NUMBER
			2876	

DATE MAILED: 04/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/621,090	NATSUKARI ET AL.	
	Examiner	Art Unit	
	Seung H. Lee	2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on ____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) Claim(s) 1 and 13-22 is/are allowed.
- 6) Claim(s) ____ is/are rejected.
- 7) Claim(s) 2-12 is/are objected to.
- 8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 24 October 2003 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. ____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/16/2003</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. This application is in condition for allowance except for the following formal matters:

Claim Objections

2. Claims 2-12 are objected to because of the following informalities:

Re claim 2, line 8: The phrase "the calculated two-dimensional code:" lacks proper antecedent basis,

Re claim 7, line 9: The phrase "the calculated two-dimensional code:" lacks proper antecedent basis,

Re claim 8, line 8: The phrase "the calculated two-dimensional code:" lacks proper antecedent basis,

Re claim 9, line 8: The phrase "the calculated two-dimensional code:" lacks proper antecedent basis,

Re claim 10, line 8: The phrase "the calculated two-dimensional code:" lacks proper antecedent basis,

Re claim 11, line 7: The phrase "the calculated two-dimensional code:" lacks proper antecedent basis,

Re claim 12, line 7: The phrase "the calculated two-dimensional code:" lacks proper antecedent basis.

Appropriate correction is required.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Allowable Subject Matter

3. Claims 1 are 13-22 are allowed.
4. Claims 2-12 would be allowable if rewritten or amended to overcome the Claims Objections set forth in this Office action.
5. The following is an examiner's statement of reasons for allowance:

Krummel (US 5,557,091) teaches a document image management system comprising a method for setting up parameters of the barcode to be scanned, Li et al. (US 5,504,319) teaches a scanning system comprises a DSP (digital signal processor) for determining a location and orientation of the barcodes to be scanned, and Yang et al. (US 6,000,614) teaches a two-dimensional code reading system comprising a method of using the image of the reference pattern of the two-dimensional code to compute the area, shape, and positions of the cell in the image of the two-dimensional code. However, Krummel, Li et al., and Yang et al. taken alone or combination, fails to specifically teach or fairly suggest that a method and a system comprising a designating

a specification of the two-dimensional code, calculating the specification the two-dimensional code, designating an attachment condition of the image pick-up section, and calculating an attachment of specification including a an attachment distance of the image pick-up section and/or a total thickness of close-up rings in accordance with the specification of a calculated two-dimensional code reading specification as set forth in the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Reichenbach (US 6,371,371) discloses a method of operating barcode reader for detecting positions and orientations of the barcodes,

Lucera et al. (US 6,616,040) discloses a scanning system for scanning barcode employing an analog scan data signal processor.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Seung H. Lee whose telephone number is (571) 272-2401. The examiner can normally be reached on Monday-Friday, 7:30 AM- 4:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Seung H. Lee
Art Unit 2876
April 4, 2005